

00-R-1353

CLAIM OF: VIVIENNE LEE

1172 Newbridge Trace, NE  
Atlanta, Georgia 30319

# FAVORABLE REPORT

COM.

*Public Safety*

For damages alleged to have been sustained as a  
result of a vehicular accident on April 28, 2000 at DATE  
2572 Lenox Road, NE.

CHIEF C. T. Martin

*Mark S. Ray*

BY PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE:

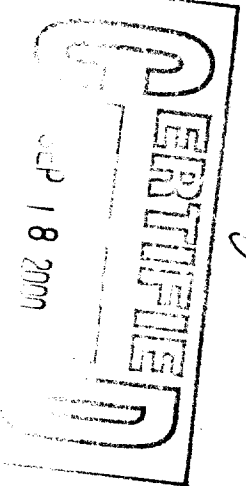
BE IT RESOLVED by the Council of the City of  
Atlanta that the action of the Department of Law  
be approved in authorizing payment to  
VIVIENNE LEE the sum of \$766.97 in full  
settlement and satisfaction of all claims, past,  
present and future, of every kind and character for  
damages alleged to have been sustained as a result  
of a vehicular accident on April 28, 2000 at 2572  
Lenox Road, NE as is more particularly set forth  
in the within claim; said sum taken from and  
charged to account 1A01/529017/T31001,  
Settlement of Suits and Claims, Department of  
Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

ADOPTED BY  
SEP 18 2000

COUNCIL

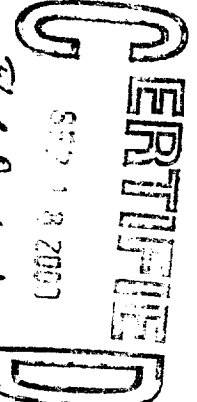


*Susan Pease Langford*  
*Rosalind Rubens Newell*  
*Mark S. Ray*

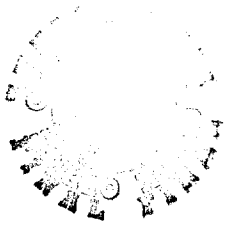
APPROVED

SEP 27 2000

WITHOUT SIGNATURE  
BY OPERATION OF LAW



*Rosalind Rubens Newell*  
MUNICIPAL CLERK



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

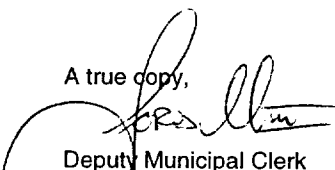
**00-R-1353**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Vivienne Lee** in the sum of **\$1000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **a vehicular accident on April 28, 2000 at 2572 Lenox Road, NE** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

  
Deputy Municipal Clerk

**ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403**

September 18, 2000

September 27, 2000

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 00L0374

Date: August 29, 2000

Claimant /Victim VIVIENNE LEE

BY: (Atty) \_\_\_\_\_

Address: 1172 Newbridge Trace, NE, Atlanta, Georgia 30319

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 683.97 Bodily Injury \$ 83.00

Date of Notice: 06/21/00 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 04/28/00 Place: Interstate 285 and Moreland Avenue

Department Police Division: \_\_\_\_\_

Employee involved Major W. B. Shannon Disciplinary Action: No Action Taken

NATURE OF CLAIM: The driver of the City vehicle was following too closely and rear-ended the claimant's vehicle causing damages in the above amount.

**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver X Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

**RECOMMENDATION:**

Pay \$ 766.97 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 08-29-00

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

**VIVIENNE LEE**

1172 NEWBRIDGE TRACE NE  
ATLANTA, GEORGIA 30319  
404.995.9449 (H)  
404.522.7323 ext.18 (W)

*M. Mitchell*  
*06/21/00*  
*[Signature]*

MAY 15, 2000

ENTERED - 6-21-00 - SB  
00L0374 - DIANNE MITCHELL

Diane C. Mitchell, Esq.  
Claims Manager  
City of Atlanta/Law Department  
68 Mitchell Street  
14<sup>th</sup> floor Suite 4100  
Atlanta, Georgia 30335-0332

Dear Ms. Mitchell:

I write today to ask your assistance in initiating the process of filing a claim for compensation.

On Friday, April 28<sup>th</sup>, 2000, I was involved in a car accident (copy of motor vehicle accident report attached) with an Atlanta police officer who was driving a city insured vehicle. I have obtained an estimate for repair to my car (also attached). Receipts for my initial appointment at The Emory Clinic, the cost for which was not covered by insurance, are also enclosed. The only additional expense I currently anticipate is for a rental car during the days my car will be in the shop for repair.

Although none of the investigating officers who came to the scene of the accident interviewed me to ask for my account of the events, they *only cited* the driver of the other vehicle, Maj. William B. Shannon. And despite his statement (with which I disagree) that I "came to a sudden stop" (I was stopped for oncoming traffic), I am apparently not being held responsible.

I would appreciate your contacting me within the next 10 business days to advise me of: [1] the procedure to follow for filing a claim and [2] what, if any, additional supporting documents you may require.

Thank you in advance for your consideration

Sincerely,

Vivienne Lee

VML:mw

Enclosures

GENERAL RELEASE AND INDEMNIFICATIONCLAIM NUMBER 00L0371\$ 766.97

IN CONSIDERATION of the sum of SEVEN HUNDRED SIXTY-SIX AND 97/1000  
DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby  
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever  
discharge said City, its officers and employees, including but not limited to Major William Berry Shannon, from  
any and all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or  
nature for or on account of anything that has heretofore occurred, and particularly for or on account of a vehicular  
accident, which occurred on or about the 28th day of April, 2000.

at or near 2572 Lenox Road, NE

It is further understood and agreed that the payment of the above named sum is not to be considered as an  
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the  
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,  
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,  
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment  
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by  
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this  
instrument.

WITNESS my hand and seal this

29th

day of



August

, 2000.

  
VIVienne LEE (LS)

The above release was read and explained to, and signed by the said

in our presence on the date above written.

  
  
WITNESSES

RCS# 2218  
9/18/00  
2:15 PM

# Atlanta City Council

## Regular Session

CONSENT

PAGES: 1-19

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	NV Woolard	B Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-R-1321  
00-R-1322  
00-R-1388  
00-O-1435

# CORRECTED COPY

CONSENT

		09/18/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA		ITEMS ADVERSE ON CONSENT AGENDA
1. 00-O-1234 2. 00-O-1007 3. 00-O-1015 4. 00-O-1427 5. 00-O-1429 6. 00-O-1432 7. 00-R-1387 8. 00-R-1392 9. 00-R-1395 10. 00-R-1452 11. 00-R-1340 12. 00-R-1323 13. 00-R-1433 14. 00-R-0560 15. 00-R-0561 16. 00-R-1454 17. 00-R-1299 18. 00-R-1308 19. 00-R-1334 20. 00-R-1335 21. 00-R-1338 22. 00-R-1394 23. 00-R-1331 24. 00-R-1330 25. 00-R-1332 26. 00-R-1333 27. 00-R-1337 28. 00-R-1339 29. 00-R-1419 30. 00-R-1426 31. 00-R-1342 32. 00-R-1343 33. 00-R-1344 34. 00-R-1345 35. 00-R-1346 36. 00-R-1347 37. 00-R-1348 38. 00-R-1349 39. 00-R-1350 40. 00-R-1351	41. 00-R-1352 42. 00-R-1353 43. 00-R-1397 44. 00-R-1398 45. 00-R-1399 46. 00-R-1400 47. 00-R-1401 48. 00-R-1402 49. 00-R-1403 50. 00-R-1404	51. 00-R-1357 52. 00-R-1358 53. 00-R-1359 54. 00-R-1360 55. 00-R-1362 56. 00-R-1363 57. 00-R-1364 58. 00-R-1365 59. 00-R-1366 60. 00-R-1367 61. 00-R-1368 62. 00-R-1369 63. 00-R-1370 64. 00-R-1371 65. 00-R-1372 66. 00-R-1373 67. 00-R-1374 68. 00-R-1375 69. 00-R-1376 70. 00-R-1377 71. 00-R-1378 72. 00-R-1379 73. 00-R-1380 74. 00-R-1381 75. 00-R-1382 76. 00-R-1383 77. 00-R-1384 78. 00-R-1385 79. 00-R-1386 80. 00-R-1405 81. 00-R-1406 82. 00-R-1407 83. 00-R-1408 84. 00-R-1409 85. 00-R-1410 86. 00-R-1411 87. 00-R-1412 88. 00-R-1413